

08/27/01
1051 U.S. PTO

PATENT
Customer Number 22,852
Attorney Docket No. 06882.0015-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Prior Application Art Unit: **1641**

Prior Application Examiner: **C. Chin**

1040 U.S. PTO
09/938598
08/27/01

SIR: This is a request for filing a

☒ Continuation ☐ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/344,895 filed June 25, 1999, of Patrick Carroll, Jon Schneider, and Douglas E. Bell for DIAGNOSTIC SANITARY TEST STRIP.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/344,895 as originally filed on June 25, 1999, which is incorporated herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. ☐ Cancel Claims [Text].
5. ☐ A Preliminary Amendment is enclosed.
6. ☐ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee					\$710	\$ \$710.00
	Number of Claims		Basic	Extra Claims		
Total Claims	20	-	20	[number]	x \$18	[number]
Independent Claims	1	-	3	[number]	x \$80	[number]
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$270	[number]
Subtotal						\$ 710.00
Reduction by 1/2 if small entity						- 355.00

09938598-082701

TOTAL APPLICATION FILING FEE	\$ 355.00
------------------------------	-----------

7. ☒ A check in the amount of \$355.00 to cover the filing fee is enclosed.
8. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ☒ Amend the specification by inserting before the first line, the following new paragraph:
- This is a ☒ continuation ☐ division of application Serial No. 09/344,895 filed June 25, 1999, which is a division of application Serial No. 08/872,088 filed June 10, 1997, now U.S. Patent 6040195, which are incorporated herein by reference.
10. ☒ New formal drawings are enclosed.
11. ☒ The prior application is assigned of record to: Home Diagnostics, Inc.
12. ☐ Priority of application Serial No. [Text], filed on [Text] in [Country] is claimed under 35 U.S.C. § 119. A certified copy
- ☐ is enclosed or ☐ is on file in the prior application.
13. ☒ A verified statement claiming small entity status
- ☐ is enclosed or ☒ is on file in the prior application.
14. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup,

09/344,895-082701

15. ☒ The original revocation and new power of attorney appears in the prior application.

16. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**

18. ☐ Recognize as associate attorney _____

19. ☐ Also enclosed is _____

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 08/872,088, filed June 10, 1997, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 27, 2001

By: 

Eric P. Raciti
Reg. No. 41,475

09038598-082701